



I am also licensed to practice in the Western, Southern, Eastern and Northern Districts of Texas, before the Fifth Circuit Court of Appeals, and before the Supreme Court of the United States of America. I have an active docket of litigation in Central and South Texas, in both state and federal courts. Over the course of my career, I have tried cases to juries, argued to appellate courts, and briefed before the Texas and United States Supreme Court. I am lead counsel for the plaintiff, Ms. Mary Lou Castillo, in the suit styled Castillo v. Community Council of South Central Texas, Inc., Civil Action No. 5:12-cv-00143-XR, United States Western District of Texas, San Antonio Division.

Annexed to Ms. Castillo's Opposed Motion for Attorney's Fees and Taxable Costs and my Affidavit are exhibits including, but not limited to, correspondence directed to the Community Council of South Central Texas, Inc. and a statement of attorney's fees costs, all of which I prepared and/or signed. I affirm that the documents are true and correct copies of originals prepared by my office in the regular course of business, and it was in the regular course of business in this office for an employee or other representative with personal knowledge of the information, act, event, condition, or other matters recorded in the attached records to make the memoranda or record, or to record or transmit the information to be included in the said memoranda or record. The memoranda or records, true copies of which are attached, were made at or near the time of the act, event, condition, or other matter which is recorded, or reasonably soon thereafter. All the records that are a part of this pleading are true and exact duplicates of the original documents or records, without any substantial or material alteration.

I have also prepared this affidavit in support of Ms. Castillo's request for reasonable attorney's fees and costs incurred in obtaining the relief requested in her Opposed Motion for Attorney's Fees and Taxable Costs. I have expended (32.20) hours of time since February 15,

2012, the date I first consulted with Ms. Castillo about assisting her on her Notice of Removal. I have annexed to my affidavit an itemized statement of attorney's fees and expenses for the Court to review.<sup>2</sup>

A reasonable and customary hourly fee to represent him in this litigation is three hundred dollars and no cents (\$300.00) per hour. I base my hourly fee request upon my 15 years of experience as an attorney and upon the regular and customary fees charged by attorneys in the community. I also base my hourly fee request on, among other things, the fact that I regularly represent both plaintiffs and defendants as general and litigation counsel in matter involving labor and employment law disputes. A reasonable and customarily hourly fee for my legal assistant is \$65.00 per hour. I base her hourly fee upon my 15 years of experience as an attorney and upon the regular and customary fees charged by legal assistants in the community.

I also expended seven hundred fifteen dollars and eighty-five cents (\$715.85) in taxable costs of court in the prosecution of Ms. Castillo's federal litigation, including necessary postage fees, photocopy fees, telecopier fees, office supplies and legal research costs. These taxable costs of Court were also reasonable and necessary in the prosecution of Ms. Castillo's claim.

In conclusion, I certify that the time, (32.20) hours, expended by myself was actually expended as stated herein. I further certify that the time expended and the rate of three hundred dollars and no cents (\$300.00) per hour are reasonable. I therefore request reasonable attorney's fees of nine thousand six hundred sixty dollars and no cents (\$9,660.00), legal assistant fees of one hundred sixty-two dollars and fifty cents (\$162.50) and taxable Court costs of seven hundred fifteen dollars and eighty-five cents (\$715.85)."

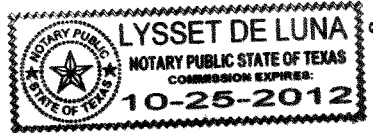
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<sup>2</sup> See Exhibit B, Itemized Statement, annexed hereto and incorporated by reference as if fully set forth herein

Further, Affiant saith not.

  
MARK ANTHONY SANCHEZ, ESQ.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 31<sup>st</sup> day of May 2012, to  
certify which witness my hand and seal of office.



  
NOTARY PUBLIC, STATE OF TEXAS  
My Commission Expires: 10/25/2012  
Lysset De Luna  
Typed or Printed Name of Notary

Mark Anthony Sánchez, Esq.  
115 East Travis, 19<sup>th</sup> Floor • San Antonio, Texas 78205  
210-222-8899 • 210-222-9526 (telecopier)  
Electronic mail: [masanchez@gws-law.com](mailto:masanchez@gws-law.com)

**PROFILE**

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- Licensed to practice in the State of Texas
- Board Certified – Labor & Employment Law
- 15 Years of Experience as Practicing Attorney
- Licensed in the Western, Southern, Northern and Eastern Federal District Courts
- Licensed in the Fifth Circuit Court of Appeals
- Licensed in the United States Supreme Court
- Licensed Mediator

**EXPERIENCE**

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GALE, WILSON & SÁNCHEZ, P.L.L.C.

*Partner, 1999 – present*

- Advise private and public sector clients on labor and employment law issues
- Serve private and public sector entities as general counsel
- Advocate for clients in state and federal courts

SCHULMAN, WALHEIM & HEIDELBERG, INC.

*Associate, 1996 - 1999*

- Drafted contracts, interlocal agreements, and memorandums of understanding
- Prepared legal opinions
- Conducted pre-trial discovery and represented clients in court

**EDUCATION**

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ST. MARY'S UNIVERSITY SCHOOL OF LAW

*Doctor of Jurisprudence, 1995*

- Hispanic Law Students Association
- *Pro Bono* Legal Clinic

UNIVERSITY OF TEXAS AT AUSTIN

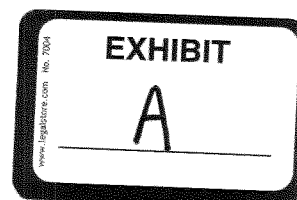
*Bachelor's Degree of Arts & Sciences in Government, 1988*

- University of Texas Cycling Team

**ACTIVITIES**

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- Labor and Employment Law Section of the State Bar of Texas
- School Law Section of the State Bar of Texas
- San Antonio Bar Association
- Member, District 10 (San Antonio) Subcommittee of the Unauthorized Practice of Law Committee
- Advisory Panel for the Selection of U.S. Magistrate Judge
- Parishioner, St. Rose of Lima Catholic Church
- Member, Coastal Conservation Association, San Antonio Chapter
- Volunteer, BikeTexas



Mary Lou Castillo  
San Antonio, Texas

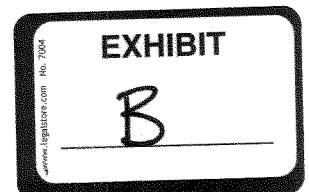
May 31, 2012

File #: 5255

Attention:

RE: Employment/Community Council of South Central Texas

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-15-12	Received and reviewed Defendant's Notice of Removal; calendared deadline for filing response.	1.00	300.00	MAS
Feb-16-12	Commenced legal research on statutory and case law authority cited in Notice of Removal; prepared correspondence to opposing counsel in attempt to confer.	1.00	300.00	MAS
Feb-20-12	Commenced preparation of Plaintiff's Motion to Remand; conducted extensive legal research on federal statute 28 U.S.C. §1441(a) and judicial decisions interpreting same to ascertain basis for establishing federal question removal jurisdiction; reviewed Plaintiff's pleadings to confirm absence of federal question contained in same; conducted extensive legal research on federal removal statute 28 U.S.C. §1441(b) and judicial decisions interpreting same to ascertain basis for establishing federal question jurisdiction for removal based upon "other paper"; conducted legal research on judicial decisions analyzing EEOC Charge of Discrimination as "other paper" for purpose of removal; continued preparation of Plaintiff's Motion to Remand including legal arguments and authorities in support of remand; conducted follow-up legal research on 29 C.F.R. §1601 and Texas Labor Code § 21.201 to confirm Texas' standing as "dual filing" jurisdiction for purposes of EEOC and TWC charges of discrimination.	4.50	1,350.00	MAS
	Extended telephone conference with client regarding her recollection of events leading up to filing of Charge of Discrimination; commenced preparation of draft Declaration setting forth facts and circumstances as described by client; prepared and transmitted	2.50	750.00	MAS





	electronic mail communication enclosing draft Declaration to client.			
Feb-21-12	Continued preparation of Plaintiff's Motion to Remand; continued extensive legal research on federal removal statute 28 U.S.C. §1441(c) and judicial decision interpreting same to ascertain basis for request for attorney's fees and costs; continued preparation of Plaintiff's Motion to Remand into full draft; reviewed and edited full draft of Plaintiff's Motion to Remand; completed Motion to Remand in final and filed with District Clerk.	2.70	810.00	MAS
	Continued revisions and edits to draft Declaration as requested by client; prepared and transmitted electronic mail communication enclosing revised draft Declaration to client.	1.50	450.00	MAS
	Prepared and transmitted electronic mail communication enclosing Defendant's Notice of Removal to client for review.	0.10	6.50	LD
	Various telephone conferences with client regarding revisions to draft Declaration.	0.60	39.00	LD
Feb-22-12	Prepared and transmitted electronic mail communication to client enclosing Opposed Motion to Remand.	0.10	6.50	LD
Feb-23-12	Received and reviewed electronic mail communication from District Clerk enclosing Order and Advisory; calendared applicable deadlines.	0.30	90.00	MAS
	Received and reviewed Defendant's Reply to Plaintiff's Motion to Remand; calendared deadline for filing response.	0.80	240.00	MAS
Feb-24-12	Received and reviewed Defendant's Answer to Plaintiff's First Amended Original Petition.	0.30	90.00	MAS
Mar-06-12	Received and reviewed Defendant's Disclosure of Interested Parties.	0.20	60.00	MAS
	Conducted additional legal research on federal removal statute 28 U.S.C. §1441(b) and judicial decisions interpreting same to ascertain basis for establishing federal question jurisdiction for removal based upon "other paper".	0.80	240.00	MAS
Mar-23-12	Prepared draft of Plaintiff's Advisory to Court regarding non-Consent to Magistrate.	0.20	60.00	MAS
	Received and reviewed Defendant's Advisory to Court regarding Consent to Magistrate.	0.10	30.00	MAS
Mar-29-12	Prepared draft Scheduling and Docket Control Order using dates suggested by Court; prepared correspondence to opposing counsel enclosing same for review.	0.60	180.00	MAS
	Received and reviewed correspondence from opposing counsel enclosing revisions to	0.20	60.00	MAS

	proposed Scheduling and Docket Control Order.			
	Prepared correspondence to opposing counsel regarding submission of Proposed Scheduling Order and Docket Control Order.	0.10	30.00	MAS
	Completed Proposed Scheduling Order and Docket Control Order in final and filed with District Clerk; prepared correspondence to opposing counsel enclosing same.	0.40	120.00	MAS
Apr-13-12	Received and reviewed electronic mail communication from District Clerk enclosing Scheduling and Docket Control Order issued by Court; calendared all relevant deadlines.	0.50	150.00	MAS
Apr-20-12	Commenced preparation of Plaintiff's Motion for Leave to File Amended Complaint; commenced preparation of Plaintiff's Second Amended Original Complaint including additional state law causes of action; reviewed and edited full draft of Plaintiff's Second Amended Original Complaint; completed same in final.	2.20	660.00	MAS
Apr-23-12	Prepared correspondence to opposing counsel in attempt to confer regarding filing of Plaintiff's Motion for Leave to Amend Complaint.	0.30	90.00	MAS
	Received and reviewed correspondence from opposing counsel indicating no opposition to proposed Motion for Leave to Amend Complaint.	0.20	60.00	MAS
	Finalized Unopposed Motion for Leave to File Second Amended Complaint and filed with District Clerk.	0.40	120.00	MAS
	Prepared correspondence to opposing counsel in attempt to confer regarding filing of proposed Motion to Abate.	0.20	60.00	MAS
	Received and reviewed correspondence from opposing counsel opposing Motion to Abate.	0.10	30.00	MAS
May-01-12	Commenced preparation of Plaintiff's Initial Disclosures under Federal Rule of Civil Procedure 26; conducted thorough review of all potential fact witnesses; conducted thorough review of all potential exhibits including review of 661 Bates labeled pages of documents; reviewed and edited full draft of Plaintiff's Initial Disclosures; completed Plaintiff's Initial Disclosures in final and transmitted to opposing counsel.	3.00	900.00	MAS
	Received and reviewed correspondence from opposing counsel enclosing Defendant's Initial Disclosures; conducted thorough review of all fact witnesses and exhibits identified by Defendant.	0.80	240.00	MAS



	Edited, revised and printed draft Plaintiff's Initial Disclosures to Defendant for MAS review.	1.50	97.50	LD
May-07-12	Received and reviewed Defendant's Answer to Plaintiff's Second Amended Original Petition.	0.30	90.00	MAS
May-14-12	Received and reviewed Court's Order granting Opposed Motion to Remand.	0.20	60.00	MAS
	Prepared and transmitted electronic mail communication to client with attached text order from the Court.	0.10	6.50	LD
May-16-12	Received and reviewed Defendant's Motion for Reconsideration; calendared deadline for responding to same.	0.30	90.00	MAS
	Received and reviewed Court's Order denying Defendant's Motion for Reconsideration.	0.10	30.00	MAS
	Prepared and transmitted electronic mail communication to client enclosing Defendant's Request for Reconsideration and Clarification of Order to Remand.	0.10	6.50	LD
May-22-12	Prepared extensive itemized statement of attorney's fees and expenses; attempted to confer with opposing counsel by preparing correspondence explaining request for attorney's fees and court costs and providing itemized statement for attorney's fees.	2.00	600.00	MAS
May-25-12	Received and reviewed correspondence from opposing counsel responding to attempt to confer and rejecting proposed resolution of pending award of attorney's fees.	0.10	30.00	MAS
May-29-12	Commenced preparation of Plaintiff's Motion for Attorney's Fees; conducted extensive research on governing case law including Johnson v. Georgia Highway Express and identified 12 factors used by courts to award fees and expenses; continued preparation of draft Motion for Attorney's Fees.	2.00	600.00	MAS
May-30-12	Commenced preparation of draft Affidavit of MAS in support of draft Plaintiff's Motion for Attorney's Fees; revised and updated itemized statement of attorney's fees and expenses to include recent legal services rendered to client.	1.30	390.00	MAS
May-31-12	Completed full draft of Plaintiff's Motion for Attorney's Fees; completed full draft of Affidavit of MAS in support of Plaintiff's Motion for Attorney's Fees; edited and revised same; finalized Motion for Attorney's Fees and filed same with District Clerk.	1.00	300.00	MAS

Totals	34.70	\$9,822.50
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**FEE SUMMARY:**

Lawyer	Hours	Effective Rate	Amount
Mark Anthony Sanchez	32.20	\$300.00	\$9,660.00
Lysset De Luna	2.50	\$65.00	\$162.50

**DISBURSEMENTS****Disbursements****Receipts**

Feb-02-12	Photocopy Expense Recovery	0.50
	Photocopy Expense Recovery	2.50
	Photocopy Expense Recovery	2.25
	Photocopy Expense Recovery	1.00
	Photocopy Expense Recovery	7.75
Feb-10-12	Photocopy Expense Recovery	0.25
	Photocopy Expense Recovery	27.00
	Photocopy Expense Recovery	16.25
	Photocopy Expense Recovery	13.25
Feb-13-12	Photocopy Expense Recovery	33.25
Feb-14-12	Photocopy Expense Recovery	0.50
	Photocopy Expense Recovery	1.00
Feb-20-12	Photocopy Expense Recovery	4.50
Feb-21-12	Photocopy Expense Recovery	1.25
Feb-24-12	Photocopy Expense Recovery	34.50
Feb-29-12	Fax Expense Recovery 02/01/12-02/29/12	127.00
	Postage Expense Recovery 02/01/12-02/29/12	6.20
	Office Supply Expense Recovery 02/01/12-02/29/12	2.00
	Research - February 2012	116.49
Mar-31-12	Fax Expense Recovery 03/01/12-03/31/12	18.00
	Research - March 2012	215.43
Apr-30-12	Fax Expense Recovery 04/01/12-04/30/12	21.00

May-25-12	Photocopy Expense Recovery	1.75	
May-30-12	Photocopy Expense Recovery	0.75	
	Photocopy Expense Recovery	2.50	
May-31-12	Fax Expense Recovery 05/01/12-05/31/12	50.00	
	Postage Expense Recovery 05/01/12-05/31/12	8.98	
	Totals	\$715.85	\$0.00
	<b>Total Fees, Disbursements</b>		<b>\$10,538.35</b>
	Previous Balance		\$0.00
	Previous Payments		\$0.00
	<b>Balance Due Now</b>		<b>\$10,538.35</b>
	<b>AMOUNT QUOTED:</b>		<b>\$0.00</b>